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THE
CASE
OF MANY
Protestant Freeholders
AND
INHABITANTS
Of the COUNTY and TOWN of
CAMBRIDGE,
In all Humility Tendered to the Consideration of the
COMMONS
IN
PARLIAMENT
ASSEMBLED.

Wherein is briefly shewn, the Manner of the late
Elections of Members of PARLIAMENT.

Printed in the Year 1680.

C. A. S. F.

OF MARY

Protestant Freeholders

AND

INHABITANTS

Of the County and Town of

CAMBRIDGE

in the County of Middlesex

COMMONS

IN

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Elections of Members of PARLIAMENT.

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The C A S E of C A M B R I D G E - S H I R E.

THe Prosecution of Protestant Dissenters having been more fierce in this County since the Elections to this and the last Parliament (notwithstanding the discovery of the Hellish Popish Plot) we shall begin with an Account of the management of those Elections.

Upon the Dissolution of the late Long Parliament, and the issuing of Writs for the Elections to the Parliament the 6th. of *March*, 1678. the Agents and Servants of Sir *Thomas Chicheley* rode to all parts of the County to engage the Freeholders to Elect Sir *Thomas* and the person that should stand with him, and many Letters were wrote to that purpose.

The Lord *Allington* or Sir *Thomas Chicheley* obtained the carriage of the Writ for the Election, and it was brought to *Cambridge* upon the 30. or 31 of *January*; but it was not delivered to the Under-Sheriff (who lived in *Cambridge*) untill the third of *February* at Nine at night; and upon the 4th, about Twenty Gentlemen were convened at *Cambridge* to consider of the Election (which all the County concluded would be made at the County Court upon the sixth of *February*) the Gentlemen were there treated at dinner by the Lord *Allington* and Sir *Thomas Chicheley*, or one of them, and desired to agree upon two Gentlemen for to stand for Knights of the Shire, but that not being entertained; (as was expected) it was declared (upon pretence of the late delivery of the Writ to the Sheriff) that it was necessary to deferre the Election for some time: And thereupon the following Agreement was made, and Signed by the Lord *Allington*, Sir *Thomas Chicheley*, Sir *Levinus Bennett*, Sir *Robert Cotton*, Captain *Duckett*, and near Twenty more.

Cambridge ss. “**M**emorandum: It is agreed by us whose Names are hereunderwritten, that in regard the next County Court falls in
“so short a time after the day of the delivery of the Writ for Electing Mem-
“bers for the said County to serve in the next Parliament, and for that the
“Electors in many parts of the said County, and chiefly in the *Isle of Ely*, who
“are at a great distance from *Cambridge*, are not suitors at the County Court,
“cannot have timely notice to attend at the next County Court, That the She-
“riff of the said County be desired to adjourn the next County Court unto Thurs-
“day the Twentieth day of this instant Month of *February*, at the Castle of
“*Cambridge*, and to give speedy notice in all convenient places of the said County
“of the said Adjournment, that the Electors may not be surprized in the choice
“of their members for the next Parliament. Given under our hands the 4th
“day of *February* in the year of our Lord 1678.

Upon the sixth of *February* 1678. *Thomas Wiseman* Esq; High Sheriff of the County (having received the Writ by a Messenger from his Under-Sheriff at his house almost in the remotest part of the *Isle of Ely*) came to *Cambridge* to hold the County Court, and there being a very great appearance of Freeholders to attend and make the Election, the Sheriff read the Writ, and immediately thereupon *Gerard Russell* Esq; and *Edward Partherich* Esq; were Elect- ed: but he according to the said Agreement (or rather Command) which was made without his consent or privity, directed the under Sheriff to adjourn the Election to the day the Gentlemen had prefixed him.

Upon the twentieth of *February* the Sheriff met in the adjourned Court, and would then proceed to Election, and the Gentlemen (notwithstanding it had been most earnestly endeavoured) then finding they could not be able to make an Interest for Sir *Tho. Chicheley*, did set up Sir *Robert Cotton* (Brother to Sir *John Cotton* of *Westminster*) and Mr. *William Wrenn* (youngest son to the late Bishop of *Ely* :) But Mr. *Russell* and Mr. *Partherich* insisted upon the former Election, and demanded of the Sheriff to Seal the Indentures tendred by the Freeholders; which he refusing to do, and the Freeholders finding that he intended to return Sir *Robert Cotton* and Mr. *Wrenn*, and to put them to contest it in Parliament, they (in the absence of Mr. *Russell* and Mr. *Partherich*) demanded a Poll for them, and after two dayes polling at three places appointed to that purpose by the Sheriff, and the Books cast up, it appearing they had greatly the Majority of Freeholders, they were proclaimed Elected, and returned to serve in that Parliament.

Upon the Issuing of Writs for the Elections to this Parliament, many of the most Substantial Freeholders (declaring their satisfaction in their discharge of their Trust in the former Parliament) invited Mr. *Russell* and Mr. *Partherich* again to appear for the County, and notwithstanding the many threats and discouragements from the great men of the County, and the Invitations made to *Free Quarter* of all that would vote for Sir *Levinus Bennett* and Sir *Robert Cotton* (wherein there was near 1000 l. spent, and thereof a good Summe by Sir *Thomas Chicheley* himself, in an Inne which he took to that purpose,) the Freeholders came in to the Election upon 21th of *August*, 1679. freely at their own Charges for Mr. *Russel* and Mr. *Partherich*; and upon reading the Writ, they had by far the greatest appearance upon view, though a great number not only of Scholars but of the Rabble of the Town of *Cambridge*, ran in amongst the Freeholders that were for Sir *Levinus Bennett* and Sir *Robert Cotton*.

The Poll however being demanded, Mr. *Wiseman* (the same Sheriff that had so foully abused the Freeholders in the former Election, and escaped unpunished) allowed the great men that appeared against Mr. *Russel* and Mr. *Partherich* wholly to manage the Election, and that it might be made under their eye and influence, he denied (contrary to his practice in the former Election, and to his Agreement the preceding night) to allow several places of Polling, but would take the Poll of all the Freeholders promiscuously at two places only, which were beset with the Justices of Peace, Militia Officers, Clergymen, &c. and the Freeholders that had the courage to Poll for Mr. *Russel* and Mr. *Partherich* were there treated, not only with Frowns, but with Taunts, Reproaches, and also Threats.

The Gentlemen that were for Sir *Levinus Bennet* and Sir *Robert Cotton* were the sole Managers of the Poll, in bringing the Freeholders to be polled, and administering the Oath, &c. and very often the Freeholders against them were thrust back, and the Bible when in their hands ready to take the Oath, caught away, and put into the hands of those that were known to be for them, and they preferred to be polled, and dismissed with the Commendation that they were honest men, &c.

After some hours Polling in this manner, the Sheriff upon Application and Complaint to him, did promise that the Poll should be adjourned to the next day, and the residue of the Freeholders then polled; in confidence whereof, and being tired out and discouraged, many went to their Innes in the Town, and some that lived not many miles remote to their own houses, with purpose to return the next day, and at Candle-light (it being about Nine at night) the Sheriff being minded of his promise left his Seat, and was directing an Adjournment, when Sir *Levinus Bennett*, Sir *Robert Cotton*, Sir *Thomas Hatton*, Sir *Lionel Walden*, * Mr. *Fincham* and others came and forbade it; and when the Sheriff was urged with his promise and duty, they promised to save him harmless, and prevailed

* Mr. *Fincham* (a Justice of Peace in the Isle of *Ely*, and lately made so in *Norfolk*)

is Brother to a Popish Priest, and (if not more) a Favourer of Papists: He undertook the Protection of Sir *Henry Bedingsfeilds* (a noted Papist's) Estate, who to that end made a Conveyance thereof to Mr. *Fincham*, and the Tenants attorned to him, and he sat as Lord in Sir *Henry's* Courts, and received the Rents. He also was vouched and undertook for the Religion of Mr. *Scottred* a Grand-Jury man, who drank the Popes Health to the Grand Jury in the Isle of *Ely*, in September, 1679.

with him to put an end to the Election, as he did, and without retiring to peruse or cast up the Books, proclaimed Sir *Levinus Bennet* and Sir *Robert Cotton* Elected.

The next day many Freeholders came to the place of Polling to offer themselves for Mr. *Russell* and Mr. *Partherich*, and attended the || Sheriff, and desired him according to his promise to proceed in the Poll, but he refused to do, and Returned Sir *Levinus Bennett* and Sir *Robert Cotton*, and hath since boasted that he made them Knights of the Shire, as in truth he did.

|| At the Election in 1678. when this same Sheriff found Mr. *Russel* and Mr. *Partherich*

to have the advantage of the Poll against Sir *Robert Cotton* and Mr. *Wrenn*, he adjourned the Poll to the second day, though then it was taken in three places, now but in two, and the constant practice hath been to poll two dayes in this County, the Croud of Scholars making it difficult to take the Poll.

It might after this usage be expected, that the Gentlemen that with so little honour went off with Victory would have acquiesced, but it appears otherwise to the smart of the Countrey, which hath felt a levere Execution of their Threats, of which a few Instances are here given.

The Justices of Peace and chief Constables that appeared against them, are turned off.

The Right Honourable the || Lord *North and Grey*, and Sir *Thomas Willis* (an ancient Baronet, and a person of most undoubted Loyalty and Integrity in the Protestant Religion as by Law established, and who had for twenty years last past with good reputation acquitted himself as a Justice, and very often presided in the Sessions, and given the Charge) being together with Mr. *Partherich* put out of the Commission of the Peace.

|| His Lordship and Sir *Tho. Willis* (being above the influence of those that set up Sir *Levinus Bennett* and Sir *Robert Cotton*) were the only Justices that appeared for Mr. *Russel* and Mr. *Partherich*.

The want of these Justices is supplied by a greater number, and amongst others Sir *Robert Wright* Serjeant at Law, Mr. *Bennett*, Mr. *Hatton* a younger Brother to Sir *Thomas Hatton*, Mr. *Philip Cotton* (a younger Brother to Sir *Robert*) * Dr. *Thomas Watson* a Fellow of St. *Johns* Colledge, *Charles Porter* Esq; *Lionel Walden* Esq; with others, are put into the Commission of the Peace.

* This Doctor was very useful to promote the Interest of Sir *L. B.* and Sir *R. C.* riding up and down the Countrey about it, and using all sorts of Arguments

to the Freeholders; and at the Election (to help at a dead lift) polled himself twice for them, and this before he acquired the Civil capacity of a Justice. He openly declares his opinion of the Justice of the Verdict that acquitted Sir *Tho. Gascoyne*, and speaks with great contempt of the Witnesses against him. When some have spoke their apprehensions of the hellish Principles of the *Papists*, and of the danger of their Plot, he desires the *Presbyterians* may be ranked with them, for that he accounts them all alike; and (to give it in his words) he saith the Devil will have both; and yet he makes a difference here, for he prosecutes the one with the Penal Laws, and the other with great Kindness and Caresses.

† There are in the County Militia two Troops of Horse, and five Companies of Foot; and of all the Officers, only Capt. *Gardner*, his Lievtenant Mr. *Berry*, and his Ensign Mr. *Dorrington*, (together with Mr. *Creke* Cornet) appeared to Vote for Mr. *Russell* and Mr. *Partherich*, which was highly resented; and some Gentlemen confidently said, that Capt. *Gardners* Commission was taken away, and given to Mr. *Philip Cotton* Brother to Sir *Robert*, whom they honoured with the Name of Capt. *Cotton*; but such was the Justice of the Right Honourable the *Earl of Suffolk* the Lord Lievtenant of the County, that they could not make Capt. *Gardners* guilt therein amount to a forfeiture of his Commission, and therefore his Lordship is pleased to continue it; but Sir *Thomas Hatton* a Deputy Lievtenant hath in effect disbanded that Company, for he refused at the late Muster of the Militia to own him as a Captain, or to Muster his Company, although the Foot have been alwayes brought by the Warrant of the Deputy Lievtenants to muster together; and upon complaint to Sir *Thomas*, that there was no Warrant sent for that Company, he said, *Let him that gave them their Commissions muster them*: The same persons do also give out in speeches, that Mr. *Partherich* is no longer a Deputy Lievtenant, and that Mr. *William Wrenn* is in his place Deputy Lievtenant; but the truth of that may be also doubted.

† The Deputy Lieutenants have for many years raised the Weeks Tax which amounts to 250 l. per ann. or thereabouts, and they term it to be for Drums and Colours, an Accompt whereof will be of great satisfaction to the County, for they refuse to pay Captain *Gardner* and his Officers, and it is not known how the Money is employed.

These are some of the Indignities that are put upon Gentlemen that Envy it self cannot otherwise touch. We shall now take the Liberty to shew the severe treatment of those that can by the most strict observation be brought within the Lash of Penal Laws.

There are in the Town and County of *Cambridge* (as in all the Countyes of *England*) many who dissent in some things of *Conformity* and a few indifferent Ceremonies from the publique Worship, but holding the doctrine and Principles of Religion contained in the Articles of the doctrine of the Church of *England*; and having given so many years experience of their peaceableness under his Majesties Government, they began to hope (if not for Relaxation from the Severity of the Laws levelled against them in the late long Parliament, the penaltyes whereof in the most rigorous execution they have with all patience born, yet) that at the worst, they should only lye under their own burden; but it is otherwise, for, especially since the late Elections, wherein they were on the one side, and all the interest the Papists could make on the other, the Laws expressly made against Popish Recusants are turned upon them, and they find them executed with all possible severity, which it is hoped will justifie or at least excuse their crying out for deliverance.

These Dissenters have not been treated with the gentleness with which most of the Courts of Justice of *England* have acted since the discovery of the danger threatening our Religion and Liberties from the Papists, but they have been under the eye of thole that resolved to make them (if not them only) to feel the extremity of Penal Laws, and many now upon the Stage do even outdo themselves in driving on their Conviction under the Notion of Recusants, and Proceſs hath been issued out of the Exchequer against above 100 Protestants in that County (not including the Isle of Ely, where Protestant dissenters meet with more harsh Treatment than in the County, if possible more harsh can be used) as Recusants Convict within a year past, and the Lands of about fifty more have been some years seized; and the Rents levied by Exchequer Proceſse; and the Administration and Execution is in such hands that do outrun the most rigid Laws, and even the Copyhold Lands of several have been seized and returned into the Exchequer.

The Case of Mr. Francis Holcroft now Prisoner in the Castle of Cambridge.

There are not a few amongst us who would fright men into Popery by the odious names of *Fanaticks*, and some are represented as *Papists* and *Jesuits* (by men pretending to be Protestants) because they will not be such; which seems to be the fate of Mr. *Holcroft* a Nonconformist Minister, whose testimony and zeal against the Superstitions and Idolatryes of Rome is not exceeded by many; and yet upon the discovery of the Plot, that he might be odious (as the Papists deservedly were) we were confidently told that he was a Jesuite, which may indeed be as soon proved as the high charge in the late Warrants by which he is made a Prisoner. This Gentleman appeared for Mr. *Russell* and Mr. *Partherich*, and published under his hand a small Tract before the last Election, with the Title of *A Word of Counsell to England*, and therein did thus exhort his Countrymen, viz.

However it fares with any of us, Attend I beseech you to your present work, that is laid before you, in the Kings Majesties Proclamation, touching the calling of a Parliament; and whatsoever therein your hand findeth to do, do it with all your might. Beware of Coleman the Traitors Plot, who was cut off in his iniquity; Beware of Romish Priests and Jesuits disguised, and others that prosecute the same design of bringing in a Parliament by the power of the Popes purse, to set up his Kingdom by a Law, to the overthrow of the Protestant Religion, and to the hastening of the immediate kindling of the fires in *England*, to burn the Protestant Ministers and People, as in the dayes of *Queen Mary*: How full his head was of this design, did appear, when he before hand drew up a Proclamation that should have been made at the Dissolution of the Parliament, in order to the gathering such a one as he desired: Thus was he acting the part of Secretary of State, as if he and his fellows had already sped, and were in their Kingdom: He saw not the righteous Judgment that was coming on him, who did not in time hearken to the Counsel given him, that would have saved him, because God would slay him. Now a price is put into your hands, God give you an heart to improve it, and take heed of missing your season, but redeem it, for the dayes are evil;

evil; Betray not your Souls, your Country and Posterity to ruine, by neglecting Gods Word, and the dictates of your own Consciences in your Elections; Attend to the charge of God in Deuteron. 1. 13 ver. Take ye for you wise men and understanding, known among your Tribes. Take heed of venturing upon men you know not to be sound Protestants in their Principles, especially when you have before you such as are well known, and have given proof to their Country of their standing up for truth and righteousness in this present time; Again Exod. 8. 21. And thou shalt provide out of all the People men of Ability, fearing God; men of truth, hating covetousness, that is, hating to receive riches to betray their Country.

Betray not the holy Christian Religion, your Souls, your Countrey, your Liberties and Posterity, for fear, gain, or favour, for Wine or strong Drink.

Beware of false Teachers and others, who seem to be zealous for the Protestant Religion and Church of England — when yet the 39 Articles, and the most fundamental ones of those 22 of them that directly oppose Popery, are by them not preached but undermined, yea, by some of them bitterly and blasphemously opposed. With much more to this purpose. Mr. Holcroft having thus, and otherwise as he had opportunity, contributed what he could to the interest of Mr. Russel and Mr. Partherich: Upon the 26th of September, 1679. which was shortly after the Election, Sir Thomas Chicheley, Sir Thomas Hatton and Sir Levinus Bennett, Deputy Lieutenants, make this following Warrant against him.

Cambridge II. To Thomas Duckett Esq; Captain of one of the Troops of Horse of the Militia of the said County: And to Devereux Martin Esq; Lieutenant of the said Troop: And to William Battell Gent. Muster-Master of the Militia Forces within the said County: And Joseph Sell Quarter-master of the said Troop; and to every or any of them joyntly and severally, Greeting.

Whereas Francis Holcroft, being a person of *Rebellious, seditious and dangerous principles*, doth often come and sometimes reside in the County, and draw unto him many persons of the like ill principles, who do often meet in very great numbers in unlawful Meetings and Conventicles both in the day and night time, under pretence of Religious Worship, but are *vehemently suspected* that such their meetings are for contriving and carrying on some desperate design against his Majesty and the Protestant Religion, and Government now by Law established. And the said Francis Holcroft being the chief Ringleader of the said persons, doth often ride with great numbers of the said persons in his company, to the great terrour of his Majesties good Subjects, and the hazard and danger of his Majesties peace of the said County; for the preservation whereof, and for the prevention of the said numerous meetings, and of any Insurrections, tumults or other discorders that may arise or happen: These are to will and require you, and we do in his Majesties name hereby straightly charge and command you, that you, some or one of you, do forthwith take and apprehend the Body of the said Francis Holcroft, and convey him to his Majesties Gaole of the said County, there to remain untill he shall give good security to us, or some other of the Deputy Lieutenants of the said County, for his peaceable and good Behaviour, and obedience to his Majesties established Laws, and also to answer what shall be objected against him touching the Premises, and be from thence discharged according to Law. And hereof fail not. Given under our Hands and Seals, the six and twentieth day of September, in the one and Thirtieth year of the Reign of our Sovereign Lord King Charles the Second of England, Annoq; Dom. 1679.

By what sort of men?

Surely this means to Elections.

Quere, Whether not by the Bond of 1665. afterwards herein mentioned.

Tho. Chichely.
Tho. Hatton.
L. Bennet.

Upon

Upon the first of June, 1680. Mr. *Holcroft* was riding alone upon the Road, about seven or eight miles from *Cambridge*, and meeting Capt. *Duckett*, was taken prisoner by him, and carried to the *Rose Tavern* in *Cambridge*, and there kept from Two till Seven a Clock in the Afternoon, and then by the under-written Warrant (from Capt. *Duckett* and his Lievtenant *Martin*) committed Prisoner to *Cambridge Castle* (they having refused to take sufficient security that was offered to them, for his good behaviour and appearance) by this Warrant.

Cambridge ff. *To the Keeper of his Majesties Gaole at the Castle of Cambridge, or to his Deputy.*

They are easily affrighted.

BY vertue of a Warrant from the Deputy Lieutenants of this County to us and either of us directed, for the apprehending of *Francis Holcroft*, and conveying him to his Majesties Gaole in this County, being a person of *Rebellious, seditious and dangerous Principles*, who did often come and sometimes reside in the said County, and draw unto him many persons of the like ill principles, who do often meet in very great numbers, in unlawful Meetings and Conventicles, both in the day and night time under pretence of Religious Worship: But are vehemently suspected that such their meetings are for the contriving and carrying on some desperate designs against his Majesty and the Protestant Religion and Government now by Law established; And the said *Francis Holcroft* being the chief Ringleader of the said persons, doth often ride with great numbers of the said persons in his company, to the great terror of his Majesties good Servants, and the hazard and danger of his Majesties peace of the said County; for the preservation whereof, and for the prevention of the said numerous meetings, and of any Insurrections, Tumults or other disorders which may arise or happen: These are in his Majesties name to charge and command you to receive the said *Francis Holcroft* into your custody, and him safely to keep, untill he shall give good security to some of the Deputy Lieutenants of this County, for his peaceable and good behaviour, and obedience to his Majesties established Laws: And also to answer what shall be objected against him. And be from thence discharged according to Law. Hereof fail not at your peril. Given under our Hands and Seals this first day of June, in the 32th year of the Reign of our Sovereign Lord King *Charles the Second of England, Annoq; Dom. 1680.*

Thomas Duckett.
Devereux Martin.

The Oath.
I A.B. do swear
That it is not
lawfull upon any
pretence whatsoever
to take up
Arms against

the King: And I do abhorre that Traiterous Position of taking Arms by his Authority against his Person, or against those that are Commissionated by him, in pursuance of such Commissions; and that I will not at any time endeavour any Alteration of Government in Church or State.

Cambridge ff. *To the Keeper of his Majesties Gaole of the said County, Greeting.*

Whereas *Francis Holcroft* Gent. being a person which hath taken upon him to preach in several unlawful Assemblies, Conventicles and Meetings, under the colour or pretence of the Exercise of Religion, contrary to the Laws and Statutes of this Kingdom, did hire an house in *Chesterton* in

‘in the said County, which is not above two miles distant the Town of Cam-
‘bridge, which Town is a Town Corporate, that sends two Burgesses to the
‘Parliament within his Majesties Kingdom of England; and hath for divers
‘Months resided there, which hath been proved before us by two credible Wit-
‘nesses; and whereas the said Francis Holcroft hath not taken and subscribed the
‘Oath mentioned in the Statute made in the 17th. year of his now Majesties
‘Reign, Cap. 2. intituled, *An Act to restrain Nonconformists from inhabiting in*
‘*Corporations*: And forasmuch as the said Francis Holcroft being this day brought
‘before us, did wilfully and obstinately refuse to subscribe the Declaration or
‘Acknowledgment contained in a certain Act of Parliament made in the 14th
‘year of his now Majesties Reign, intituled, *An Act for the Uniformity of the pub-*
‘*lick Prayers, and Administration of the Sacraments, and other Rites and Cere-*
‘*monies: And for establishing the form of making, Ordaining and Consecrating*
‘*of Bishops, Priests and Deacons in the Church of England*: And also did wilfully
‘and obstinately refuse to take and subscribe the Oath contained in the said Act
‘of Parliament made in the said 17th year of his Majesties Reign, for *Restrain-*
‘*ing Nonconformists from inhabiting in Corporations*; although the same were
‘duely and lawfully Tendred to him.

‘These are therefore to will and require you, and we do in his Majesties
‘name hereby straightly charge and command you, that you receive and take
‘the said Francis Holcroft into the said Gaole, and him there safely to keep
‘and detain from henceforth during the space of Six Months, without Bail or
‘Mainprize, according to the Contents of the said Act of Parliament. And
‘thereof you are not to fail at your peril. Given under our Hands and Seals
‘the third day of June, in the two and Thirtieth year of the Reign of our most
‘Gracious Sovereign Lord King Charles the Second of England, Annoq; Dom.
‘1680.

Thomas Duckett.
William Cooke.
Henry Pickering.

In the last Term Mr. Holcroft brought an *Habeas Corpus* in the Kings Bench,
and then these two last Warrants were returned as the cause of his Detainer;
but since the Warrant of the Deputy Lieutenants is produced to make good (as
is thought) the Warrant of Captain Duckett, and his Lieutenant Martin.

The Prosecution of this person ceases not here, and it is contrary to the ex-
pectation of many, if less than his Blood will satisfy some that are set against
him: For it being provided by the Law of 35 of Q. Elizabeth, That if any
person shall obstinately refuse to repair to some Church, &c. and shall forbear
for the space of a Month to hear Divine Service, and either of himself, or by
the allurement of any other shall willingly joyn in or be present at any unlawful
Assembly, Conventicle or Meeting, he being thereof lawfully convicted, shall
be committed to Prison, there to remain untill he *Conforms, and makes the Sub-*
mission and Declaration in that Law: And that the *Recusant shall Abjure the Realm,*
and if he shall not accordingly depart, or if he shall return after Abjuration, he shall
be adjudged a Felon, and shall suffer as in the case of Felony without Benefit of
Clergy.

Or pity.

At the General Quarter Sessions of the Peace, the 7th of October, 1680. before
Sir Thomas Hatton, Sir Levinus Bennett, Sir Robert Cotton, Dr. Cooke (who had
the Chair) Dr. Stoite, &c. the following Indictment was drawn (and without
doubt found by the Grand Jury.)

There is of late
an excellent
faculty in ma-
ny Countyes,
of fitting the
Juryes to the
work in hand,
to which we
are not Stran-
gers, though it
is more emi-
nently known
in our Neigh-
bour County
of Norfolk.

Cambridshire ss. **T**He Jurors for our Sovereign Lord the King, upon
their Oath do present, that Francis Holcroft late
of Chesterton in the aforesaid County, Gentleman, the first of September,
in the 28th Year of the Reign of our Sovereign Lord the King that now is,
being of the Age of sixteen Years and more, at Chesterton aforesaid, in
the County aforesaid, did obstinately refuse to repair to any Church, Chap-
pel

pel or usual place of Common-Prayer to hear Divine Service now establiſht by the Laws and Statutes of the Realm, and did forbear to hear Divine Service as aforeſaid from the ſaid firſt day of September in the 28th Year of the King by the ſpace of one Month thence enſuing, and that the ſaid Francis afterwards, that is to ſay, the 30th day of March in the 29th Year of the ſaid Kings Majesties Reign, at Cheſterton aforeſaid in the County aforeſaid, in the Mansion-house of one Robert Stainſmore in Cheſterton aforeſaid, was of himſelf voluntarily preſent at an unlawful Aſſembly, Conventicle and Meeting of divers perſons to the Jurors unknown, and in the ſaid houſe then and there gathered under colour and pretence of the Exerciſe of Religion; againſt the Laws and Statutes of the Realm of England, againſt the Peace of the Kings Maſteſty, his Crown and Dignity, and againſt the form of the Statute in ſuch caſe made and provided.

The Caſe of William Rix and Thomas Whitehead, Prisoners in Wiſbech Gaole.

W^Ithin a Month after the Election 21th Auguſt, 1679. William Rix and Thomas Whitehead, Proteſtants of the Iſle of Ely, were Indicted as Recuſants by that Grand Jury (amongſt whom the Popes Health was offered) and Proclamation being made for their rendering themſelves, they appeared at the Quarter-Sessions in October, 1680. before Sir Robert Wright (his Maſteſties Serjeant at Law) Mr. Wrenn, Mr. Fincham and Dr. Hitch, Juſtices of the Peace; and after the Indictment read, Sir Robert demanded of them whether they were Guilty or Not Guilty, they ſaid, They took it that the Statute was made againſt Popiſh Recuſants, and they were not ſuch, and therefore not Guilty. To which the Court replied, How ſhall we know that? Whereunto they answered, They did not believe the Court took them for ſuch, and that they would take the Teſt: But they were required to answer directly to the Indictment, Guilty or Not guilty; and upon their deſiring their Appearance might be Recorded, and answering again, Not Guilty as Popiſh Recuſants, the Gaoler was commanded to take them, and they were told, That they appeared to ſave their Eſtates, but that ſhould not ſerve their Turns; and they are now Prisoners.

It may be the leſs ſurprizing, to ſee Proteſtants thus worried by thoſe that profeſs to be ſo, when it is conſidered, that many of our Gentry and Clergy were very early in the belief of the imagined Presbyterian Plot, for a fortnight or three weeks before Dangerfield carried it to Collonell Maſſels, and the Meal-tub, one Mr. Perne a Parſon brought us the News, that the Plot appeared to be (not Popiſh, but) Presbyterian, and he was as well read in it as if he had been at Madam Celiers Conſults; for he undertook to give Particulars, and named ſeveral Proteſtant Peers of the greateſt Quality and Reputation, to be the heads of it: and this Gentlemans credit was ſuch, that (the News coming in the time of the Affizes for the Iſle of Ely) the Grand Jury there were invited by Mr. Scottred, one of their Brethren, to drink the Popes health; and complaint thereof being made to the Judge, Scottred juſtified it in Court; and being told of the Plot, he affirmed it to be a Presbyterian Plot; and Peter Diamond Eſq; a Juſtice of the peace, and Lieutenent in the Militia, could not contain himſelf, but did ſay upon the Bench, God Damme there is a Presbyterian Plot: And ſoon after, when Sir Robert Peyton was brought upon the Stage, Dr. Juſtice Watſon expreſſed great ſatiſfaction in the hopes of ſeeing the bottom of the Presbyterian Plot; and this Doctor then declared his opinion, that all the Proteſtant Gentlemen that frequented ſome Clubs in London, upon which the Papists had their eye, ought to be hanged.

What

What here followes, was indeed acted some years past, but we (being in the same hands) shall upon this occasion take the Liberty of shewing what we have long felt.

An Account of the practices and notorious Perjury of Perry a Tinker, and an Informer, and of the Rewards and Countenance he hath had.

Stephen Perry a Tinker of the Town of Cambridge hath for many years last past acted as an *Informer* against Conventicles, and hath in that way committed notorious Perjuries, of which there is manifest proof: Nevertheless he hath not only been countenanced, but protected against Legal Prosecutions, and enjoys to this day some place or employment about the *Organs* in *St. Johns Colledge*, and the Place of Master of the *Spittle*, worth 8 or 10 *l. per ann.* which none but a Freeman of *Cambridge* hath heretofore held; and these Employments were conferred upon him since he took up the trade of Informing.

He (with one *Simon Preist* a Barber of *Cambridge* associated with him) broke into the house of *Mr. William Eversden* of *Toft* in *Cambridgeshire* (a Gentleman of good Estate, and who constantly kept to his Parish Church) upon pretence of searching for a *Conventicle*, and made Oath of a *Conventicle* there; which being notoriously false, *Mr. Eversden* brought an Action of Trespas against *Perry* and *Preist* for breaking and entring his house; and upon clear proof at the Assizes that there was no *Conventicle* there, as they had sworn, the Jury gave 10 *l.* Damages against them.

He also prosecuted them upon an Information for the Perjury in the *Kings-Bench*, and the cause being almost ready for Trial, *Perry* pretended a Protection from *Sir Thomas Chicheley*, to deterre *Mr. Eversden* and his Attorney from prosecuting him for that Perjury; but that not prevailing, a Warrant was granted by *Sir Thomas Chicheley*, as Master of the Ordnance, for the taking of *Mr. Bryan Kitchingman* the Attorney into Custody, which was done by one *Adam Ball* a Messenger, who carried him Prisoner to the *Tower of London*, and denied him the Liberty of sending to or speaking with any of his Acquaintance; and although he was ill in the time of his Imprisonment, he was not permitted to send for his Physician: After he had been so detained four or five dayes, he was brought before *Sir Thomas Chicheley* and the other Officers of the Ordnance, and discharged, paying his Fees, which with his expences came to about 10 *l.*

Mr. Kitchingman not surceasing the Prosecution, some time afterward another Warrant was issued against him, whereupon he presented the following Petition to the Chief Justice of the *Common Pleas*.

To the Right Honourable the Lord Chief Justice of his Majesties Court of Common Pleas at Westminster:

The Humble Petition of Brian Kitchingman one of the Attorneys of the said Court.

Sheweth,

That your Petitioner being a Sworn Attorney of the said Court, and having Prosecuted an Action of Trespas for one *William Eversden*, your Petitioners Clyent, against *Simon Preist* and *Stephen Perry*, for breaking and entring the Plaintiffs house, and a Verdict passing for the Plaintiff at *Lent Assizes* last, and Judgment being entred in *Easter Term* last, for 10 *l.* Damages, and 10 *l.* 10 *s.* Costs of Suit: And your Petitioner having also for his said Clyent Exhibited an Information in the *Crown Office* against the said *Preist* and *Perry* for Perjury, and for their not Appearing awarded an Attachment of Contempt against them, and delivered the said Attachment and *Capias ad satisfaciend.* for the remainder of the Damages and costs to the Sheriff of the County of *Cambridge*, by vertue whereof they were both taken; but *Perry* having

as

as it is pretended (after your Petitioner had delivered the said Writs to the said Sheriff) Procured himself to be entred an Officer or servant in the Ordnance Office under Sir *Thomas Chicheley*, Kt. Master of the Ordnance, did procure a Warrant from the said Sir *Thomas Chicheley* whereby your Petitioner was by a Messenger apprehended at his house in *Cambridge*, and carried to the Tower, where he was Imprisoned five nights, without being Permitted to write or send to any of his Friends, or to have any of them come to him; and was also denied the Advice of a Doctor of Physick; But was then upon hearing discharged, paying his Fees: And the said Execution money being now in the Sheriffs hands, and your Petitioner having obtained a return of the Attachment of Contempt, and given the Sheriff a Rule to bring in their bodies, Sir *Thomas Chicheley* hath made out a new Warrant against your Petitioner, and endeavored to take him again, whereby he is forced to leave his Chamber and walk in obscurity, to the great Damage of your Petitioner, and hinderance of his Clyents.

Your Petitioner therefore humbly prayeth your Lordship, to take the Premises into your grave consideration, and afford unto your Petitioner such protection and Relief herein, as to your Grave Judgment shall seem to be most agreeable to Law and Justice: And your Petitioner shall ever Pray, &c.

Sometime after, Mr. *Eversden* and Mr. *Kitchingham* were both taken into Custody by the same Messenger *Adam Ball*, and carried to *London*, and kept close Prisoners in his house near the Tower seven or eight dayes, and in that time were carried before Sir *Thomas Chicheley*, and threatned to be carried to the Council-Board if they would not let the Prosecution fall; but not being awed thereby into a compliance, after the expence of about 10. l. they were dismissed: And then as the only way for the stopping of all further Prosecution, Sir *Thomas Chicheley* obtained the Attorney Generals Warrant by the following Petition and Order.

To the KINGS most Excellent M A J E S T Y.

The Humble Petition of Stephen Perry of the Town of Cambridge, Brasier.

Sheweth,

THat your Petitioner having notice that a *Seditious Conventicle* was to be held in the house of one *William Eversden* of *Toft* in the said County, the 26th day of *June*, 1670. your Petitioner and one *Symon Preist* went thither that they might disperse the Persons met at the same, and convict them upon the late Act of Parliament made for the Suppressing of *Seditious Conventicles*, and your Petitioner and the said *Preist* saw sixteen Persons in the said *Eversdens* house, besides those of his own Family, assembled in a *Seditious Conventicle*, under the pretence of Religious Worship; and your Petitioner and the said *Preist* went several times to Sir *Thomas Sclater* Baronet, one of your Majesties Justices of the peace of the said County, and Informed him thereof, and desired him that he would give them their Oaths in order to the Conviction of the said Offenders. But the said Sir *Tho. Sclater* put them off with several excuses, of other business and delays untill the three months were expired, which were limited by the said Act of Parliament for Conviction of the Offenders: And after the three months were expired, then the said Sir *Thomas Sclater* took your Petitioners and the said *Preists* Oaths in writing under their hands, but never made any Record to Convict the Offenders: And the three months being lapsed, and no Record made, *Eversden* brought an Action of Trespals against your Petitioner and the said *Preist* for coming into his Yard, and

recovered

" recovered 20 l. for Damages, and your Petitioners Goods were taken in
 " Execution for the same: And hath since Exhibited an Information in your
 " Majesties Court of *Kings Bench* against your Petitioner and the said *Preist*
 " for *Perjury*; and assigns the *Perjury* for that your Petitioner and the said *Preist*
 " made Oath before the said *Sir Thomas Solater*, that there were sixteen per-
 " sons assembled at a seditious Meeting in the said *Eversdens* house on the
 " 26th day of *June*, which *Eversden* pretends was not true; And the said *Sir*
 " *Tho: Solater* hath given out the said Original *Affidavits* to the said *Evers-*
 " *den*, to enable the said *Eversden* to prolecute the said Information: And hath
 " Arrested your said Petitioner and *Preist* with Proceſs to Answer the said
 " Information: And for that your Petitioner requested the Constable of *Toft*
 " and several others to go with him to the said *Eversdens* house, to Certifie
 " there was a Conventicle, yet all refused to go with him; so that your Peti-
 " tioner cannot get any proof to testifie for what cause he went to the said
 " *Eversdens* house, nor to prove there was a Conventicle held there that day:
 " And therefore without your Majesties Gracious favour, your Petitioner must
 " be left open to the malice of *Eversden* and the other * *Factions* persons, who
 " have often threatned that they will ruine him, and make him run the
 " Country.

* An Epethite
of great use.

*Your Petitioner therefore humbly prays, that your Majesty will be
 graciously pleased to commiserate your poor Petitioners sad condi-
 tion, and to order that the Proceedings upon the said Informa-
 tion may be stopt, or to take such other course for your Petiti-
 oners relief as your Majesty shall thinke fit:*

And your Petitioner as in duty bound shall ever pray, &c.

The Answer (which was Signed by the Secretary of State.)

HIS Majesty is Graciously pleased, upon the *Intercession* of the
 Right Honourable *Sir Thomas Chicheley*, Master of the Ord-
 nance, and the *Representations* made by him to his Majesty of
 this business, to favour the Petitioner in his Suit, and accordingly
 commands it to be signified to Mr. *Attorney* as His Majesties
 pleasure, that a Stop be put to any further proceedings in this
 matter.

*An Account of the Maner of Imposing unusual Bonds upon some
 Freeholders of the County, and Imprisoning them that re-
 fused.*

When the *Plague* began to spread in the year 1665. *Sir Tho. Chicheley* (whe-
 ther as a Justice of the Peace or a Deputy Lievtenant, is not well
 understood) without laying any thing to their charge, required many *Freeholders*
 of the Town and County of *Cambridge*, to enter Bonds to the *Kings Majesty*
 with Sureties in great Summes, (*viz.*) some in 2000 l. some in 3000 l. with
 this Condition following, (*viz.*)

D

The

THe Condition of this Obligation is such, That if the within bounden A. B. do or shall not from henceforth Invent, Contrive, Plot, Negotiate or Act, or be Aiding, Assisting, Abetting or Privy to any Invention, Attempt, Contrivance, Plot or Conspiracy against the Person of his Royal Majesty King Charles the Second that now is, or his Royal Government now establisht, or which may any wayes tend to the dishonour, prejudice or hurt of his said Majesties Royal Person, or to the Disturbance, Interruption, Alteration or Subversion of his Majesties Royal Government Ecclesiastical or Civil now establisht, or to the Disturbance, Breach or Interruption of the Peace thereof. And if the said A. B. doe and shall forthwith discover unto his said Majesties Lord Lieutenant or some of his Deputy Lieutenants of the said County, all Plots, Treasons and Conspiracies, which he the said A. B. shall at any time know or hear of, to be against his Majesties Royal Person, State or Government. And moreover, if the said A. B. shall not go or depart above five miles from the now dwelling House of him the said A. B. where he now dwelleth at P. aforesaid, without the Licence or consent of his Majesties Lord Lieutenant, or three of his Deputy Lieutenants of the said County first had and obtained in Writing under his or their Hands and Seals. And further, if he the said A. B. do and shall from henceforth forbear to hold Intelligence or Correspondence, or associate himself or keep company with any Seditious Fanatick, discontented or evil disposed person or persons whatsoever, or with any other person or persons which are or shall be Enemies to his said Majesty or his Government, or which are or shall be Suspected or Reputed to be so. And if the said A. B. do and shall from henceforth behave and govern himself as a good faithful and Loyal Subject of this Realm of England ought to do, That then this present Obligation to be void and of none effect, or else to remain in full force and vertue.

Witness, Thomas Chicheley (Custos Rotulorum and Deputy Lieutenant :)
Sam. King (his Clerk of the Peace, and Clerk to the Militia.)

Some refused to Seal these Bonds, and were committed to Gaole, others fearing Imprisonment at that time of the Plague, entred the Bonds, and are kept under them to this day; and whether they remain with the Custos Rotulorum, or are delivered into the Exchequer, is not known.

It being well known, that Sir Thomas Willys and Roger Pepys Esq; did in a Petition to the last Parliament represent many Abuses offered to them, and the Town of Cambridge, in the returning the Lord Allington and Sir Thomas Chicheley to serve as Burgeses for the Town in that Parliament; and that the decision thereof was prevented by the dissolution: We shall subjoyn to this, a very brief Accompt of the Manner of the carrying that Election, and of the discouragements given to the Freemen (if they may so call themselves) of that Corporation, further to contend for Representatives in Parliament.

Upon a very strict scrutiny, immediately after the dissolution of the late never to be forgotten Long Parliament, wherein the Lord Allington and Mr. Pepys served for the Town, and Sir Thomas Chicheley and Sir Tho. Hatton for the County, it plainly appeared that Sir Tho. Willys and Mr. Pepys (then Recorder) had above two thirds of the Electors, that declared they would vote for them; but they (aiming at no other Profit or Honour than that of their Countreys service) resolved not to purchase Seats in Parliament, and by the Artifices following their Interest was undermined.

1. By

1. By *Threats*; The then Maior, Mr. *Fermin*, not forbearing to treat Mr. *Pepys* himself in that way; for he told him, that if he Opposed Sir *Thomas Chicheley*, he should not be longer *Recorder*; and he went from house to house to Awe the *Electors*; and the voting against the Lord *Allington* and Sir *Tho. Chicheley* had certain ruine threatned to it: For some of the mean *Tradesmen* were told, that they should not hold the Town Moneys, which according to Custom is lent to several of them for ten years time without Interest: Some were taken off by the danger of losing places of *Trust and profit*, others with the total loss of Trade with the *University Men* and *Magistrates*, of which they did forewarn them: These Arguments were of great force with many, but after they had given their Votes, several of them declared, that though they went the other way, Sir *Tho. Willys* and Mr. *Pepys* had their hearts.

2. By *Bribery*, or something very like it: There were Feasts made upon several dayes before the Election, at many Innes and Alehouses which were kept by *Freemen*; and six pounds being spent at one Freemans house, he declared that he was thereby engaged against Sir *Tho. Willys* and Mr. *Pepys*, but if they would spend six pounds in his house he would be for them.

The Election being by such means carryed, and the *Freemen* discouraged by the execution of their Threats (and the Maior having made all the Neighbour Gentlemen Free of the Town) they made little Opposition to the Lord *Allington* and Sir *Tho. Chicheley* in the Election to this Parliament:

Nevertheless they found that what they had done would not be forgiven, for Mr. *Merrill* (the Butler of *Trinity Colledge*, an Alderman, Justice of peace, and Militia Captain) taking upon himself to be *Deputy Maior*, did by surprize call an Hall, and upon the sudden turned out Mr. *Pepys* from the place of *Recorder*, and chose the Lord *Allington* in his place, which is now executed by Sir *Robert Wright* Serjeant at Law, who is made a *Justice*: Mr. *Pepys* is also put out of the Commission of the Peace both in the Town and County; and Mr. *Fermin* the Maior, that acted so successfullly in these Elections, is made a *Justice* of the Peace.

We have enlarged this Narrative beyond our first purpose, because (finding no other redress) we desire that the World may know our Usage, and that we have *English-men* amongst us, though by such Practices subjected to those that have not an Interest in a fair proceeding to obtain the suffrages of the People.

FINIS.

ETM 12

to obtain the judges of the People
to obtain the people's opinion. I must be perfect to give me
the right to be the judge of the People and the
the right to be the judge of the People, as the

[illegible]

1. The first part of the paper is devoted to a discussion of the general principles of the theory of the structure of the atom. It is shown that the structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles. The structure of the atom is determined by the laws of quantum mechanics, which are based on the principle of the uncertainty of the position and momentum of the particles.

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